

SEC. ____ . BAN ON ASSISTANCE FOR PROJECT INVOLVING PRIVATIZATION OF GOVERNMENT-HELD INDUSTRY OR SECTOR.

Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by adding at the end the following:

“(13) BAN ON ASSISTANCE FOR PROJECT INVOLVING PRIVATIZATION OF GOVERNMENT-HELD INDUSTRY OR SECTOR.—The Bank may not guarantee, insure, or extend (or participate in the extension of) credit in connection with the export of any good or service for a project that involves the privatization of a government-held industry or sector if—

“(A) the privatization transaction is not implemented in a transparent manner;

“(B) the privatization transaction is not implemented in a manner that adequately protects the interests of workers, small investors, and vulnerable groups in society to the extent that they are affected by the privatization transaction; or

“(C) appropriate regulatory regimes have not been established to ensure the proper function of competitive markets in the industry or sector.”.

The CHAIRMAN. Pursuant to House Resolution 402, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume. We will not use all of the time here.

The amendment which I drafted is based substantially on language which will be included in legislation to come up later today, H.R. 2604, the Multinational Development Bank Reauthorization. It is a bipartisan piece of legislation which the gentleman from Nebraska (Mr. BEREUTER) as the Chairman of the Subcommittee on International Monetary Policy and Trade introduced and was cosponsored by the gentleman from New York (Mr. LAFALCE), ranking member, and the gentleman from Vermont (Mr. SANDERS).

I looked at that legislation, and although I will admit that the issue before us here, the Ex-Im Bank, is not normally the principal source of funding for potential privatization efforts, but there are instances where Ex-Im Bank has followed in acquisitions and has essentially been linked to privatization efforts.

Oftentimes there may well be nothing wrong with the U.S. firm being involved in a privatization effort overseas, as long as there is a regulatory structure in place, as long as the government or the taxpayers of that country get full value in a process which is transparent in terms of the bidding, but unfortunately, there have been a number of cases, a couple of which involved the Enron corporation in Panama and the Dominican Republic, where that was not the case. In fact, a study after the fact in the Dominican Republic found that the assets were undervalued by \$907 million, and the Panama case, there was a problem with basically some corruption within the government which had led to a low bid and an improper acquisition.

I think putting in place some basic rules is needed to make sure that the

Ex-Im Bank either in the first instance or in follow-on to U.S. acquisition, in supplying follow-on to that, does not become involved in improper privatization efforts.

The standards are quite simple: That the assistance should only go to projects that are implemented in a transparent manner; that they are implemented in a manner that protects the interests of workers, small investors, vulnerable groups in society; or, if appropriate, the regulatory regimes have been established to ensure properly functioning competitive markets.

It is further my understanding that the Chairman has some concerns about the capability of enforcing this and statutory language but would perhaps be willing to support this as a sense of Congress within the conference.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for yielding. I would have claimed the time in opposition, but the gentleman has accurately described the derivation of this language, and there is certainly nothing wrong with the intent.

He is also right in recognizing that the primary entities that could have an impact on such a situation, as described in this amendment, are multinational development banks, but if the gentleman would withdraw this amendment, I will do my best to assure that language like this, probably exactly like it, would be included as sense of the Congress language or, at least that if we have problems with the Senate conferees, it be included in report language. But it would be my intent to attempt to add such language as sense of the Congress language, as the gentleman has offered it.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for his support and his great work on the legislation to come up later today. I believe these are essential reforms and limitations that should be put into the law, and I thank the gentleman.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report No. 107-423.

AMENDMENT NO. 3 OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. KUCINICH:
At the end of the bill, add the following:

SEC. ____ . REQUIREMENT THAT APPLICANTS FOR ASSISTANCE DISCLOSE WHETHER THEY HAVE VIOLATED THE FOREIGN CORRUPT PRACTICES ACT; MAINTENANCE OF LIST OF VIOLATORS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is further amended by adding at the end the following:

“(M) The Bank shall require an applicant for assistance from the Bank to disclose whether the applicant has been found by a court of the United States to have violated the Foreign Corrupt Practices Act, and shall maintain a list of persons so found to have violated such Act.”.

Amend the table of contents accordingly.

The CHAIRMAN. Pursuant to House Resolution 402, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment will require the Ex-Im Bank to gather information relating to compliance by applicants with the Foreign Corrupt Practices Act, as amended.

The Foreign Corrupt Practices Act of 1977 makes it unlawful for any domestic corporation to corruptly bribe a foreign official in order to obtain or retain business. It also requires those companies that are required to register with the Securities and Exchange Commission to keep detailed and accurate books, records, and accounts of corporate payments and transactions.

Under my amendment, Ex-Im would request that applicants report whether or not they had been found guilty by a U.S. court to be in violation of the Foreign Corrupt Practices Act, and importantly, the Ex-Im Bank would also independently keep a list of companies that had violated the Act.

Mr. Chairman, this amendment is based upon the following premise: That taxpayers should not subsidize the venture of companies that use corrupt methods to obtain business or deceive taxpayers with false financial reports.

Recently, a large multinational energy corporation based in the United States was revealed to have intentionally misled the public about its finances and its profits, leading to drastic consequences for shareholders and its employees. In part, Enron accomplished this deception by concealing the complex corporate transactions that allowed it to inflate its profits.

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Now, what if a company like this one used similar practices in order to cover up its bribery of a foreign official? How would this affect its application for financing from the Ex-Im Bank?

Under current practice, applicants for Ex-Im financing are required to certify they have not violated and will not violate the Foreign Corrupt Practices Act. That is good, and this amendment is not meant to stop the Ex-Im Bank from doing this. But the Ex-Im Bank is not required on its own to compile a list of FCPA violators. So a company that lied about its Foreign Corrupt

Practices Act history on its application would not be in danger of discovery by the Ex-Im Bank.

Is such a scenario out of the realm of possibility? Our experience with Enron should make it clear that it is not. A recent Enron loan application to the Ex-Im Bank for a natural gas plant in Venezuela included the company's 1998 annual report, which Enron admitted was falsified. Did Ex-Im discover this? No. Has the Ex-Im taken any action against Enron for submitting falsified materials? Not that I know of. In a recent column by Bob Novak this matter is detailed.

In fact, Ex-Im loaned Enron nearly \$200 million for this project, according to this report by the Institute for Policy Studies. Overall, Ex-Im has financed Enron projects to the tune of \$826 million.

Now, ideally, this amendment should be passed in conjunction with another amendment I submitted to the Committee on Rules. The second amendment would have barred Ex-Im from providing financing to any company that violated the Foreign Corrupt Practices Act. Unfortunately, the rule for this bill did not make the second amendment in order. Nevertheless, the current amendment makes an important contribution by codifying Ex-Im's current practice of requiring applicants to certify their compliance with the Foreign Corrupt Practices Act and, further, by requiring the Ex-Im Bank to independently compile a list of companies that are in violation of this act. I encourage my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BEREUTER. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN pro tempore (Mr. SIMPSON). The gentleman from Nebraska (Mr. BEREUTER) is recognized for 15 minutes.

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume, and I do not intend to oppose the gentleman's amendment. Actually, I think it is quite appropriate.

The Foreign Corrupt Practices Act does regulate the practices of American businesses doing business abroad. It requires them to keep accurate books, records and accounts. It requires issuers to register with the Securities and Exchange Commission to maintain a responsible and internal accounting control system, and it prohibits bribery by American corporations of foreign officials.

In the way of background, the Foreign Corrupt Practices Act was a U.S. initiative and we have tried very hard, through the Organization for Economic Cooperation and Development in Europe, OECD, to have other countries adopt similar kinds of national legislation. Until recently, many of our west European export competitors have actually permitted their corporations to have their bribes as tax deductible, incredible as that may seem. We have re-

cently had positive action by many of these countries in that respect, but now the proof is in the pudding. That is to say, will they, in fact, have enforcement to make sure that no such bribery is not encouraged or permitted under their tax codes.

In any case, the gentleman's amendment, I think, is highly appropriate. This kind of information should be made available and, in fact, generated, if necessary, within the Export-Import Bank. And it is my expectation that as a result of having that information and being encouraged to give it careful consideration the Ex-Im Bank will be able to avoid providing any kind of transaction assistance to an American firm that would be in violation of the Foreign Corrupt Practices Act.

Mr. Chairman, my hope is that in fact something like the Foreign Corrupt Practices Act can be applied internationally by actions of national legislative bodies. So I do speak in support of the gentleman's amendment, and I thank him for his initiative in offering it.

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume to thank the gentleman for his expression of support for transparency and integrity in international transactions.

Mr. Chairman, I submit for the RECORD the article by Bob Novak I referred to earlier:

[From the Chicago Sun-Times, Apr. 29, 2002]

ENRON'S CORPORATE WELFARE

(By Robert Novak)

A bipartisan Senate Finance Committee investigation has found that Enron Corp., no paragon of free-market deregulation, gorged itself on corporate welfare. The Clinton administration gave more than \$650 million in Export-Import Bank loans to Enron-related companies. While the Senate now probes whether the bankrupt energy company falsified loan requests, the bigger question is why Enron was subsidized at all.

Export-Import officials early this year, expressing confidence in the accuracy of information provided by Enron in its loan applications, were not interested in an investigation. However, Ex-Im Vice Chairman Eduardo Aguirre sang a different tune in his April 23 letter to Sen. Chuck Grassley of Iowa, the Finance Committee's senior Republican. "Please let me assure you that Ex-Im Bank takes very seriously potential violations of law . . . and works very closely with the Department of Justice," Aguirre wrote.

Finance staffers have found that Ex-Im, as well as the Overseas Private Investment Corp., in a Democratic administration routinely approved loan requests from a supposedly Republican company. Lavish bipartisan political contributions may have helped, as well as a top Enron executive sitting on Ex-Im's Advisory Committee.

Actually, one official of the agency informed a Senate investigator that all Ex-Im really monitors is loan repayment. Ironically, it is unclear whether Enron loans will be defaulted at American taxpayer expense. While the rationale for the Export-Import Bank's existence is to give U.S. businesses a level playing field against government-subsidized foreign competition, the Enron loans merely buttressed questionable projects where the company often was both producer and exporter.

The classic case is a September 1994 Ex-Im direct loan of \$302 million (\$175 million of which remains unpaid) to Dabhol Power Co. in India, then 80 percent owned by Enron. In this deal, Enron was the "foreign" company, and its allies, Bechtel Group and General Electric, were the exporters. With an Indian utility that could not pay its bills (and was pressured by the Bush administration to do so) as its only customer, Dabhol went bankrupt even before Enron.

A less-publicized loan scrutinized by Senate investigators provided \$135 million (only \$4 million of which has repaid) to the Accroven partnership for a natural gas plant in Venezuela. Nearly half the company's stock was owned by Enron while Enron also was the exporter. Thus, the U.S. taxpayer was paying Enron money so that Enron could buy gas from Enron.

Enron's loan application for the Accroven project included the company's 1998 annual report, which the company has admitted was falsified. "I'm troubled by the Ex-Im's seeming lack of interest in this matter," Grassley wrote Aguirre on April 2.

Ex-Im lent \$250 million to Trakya Elektrik of Turkey, owned 50 percent by Enron, which was buying goods and services from Enron. Ex-Im insured a \$3.6 million Citibank loan to Promigas in Colombia, owned 42.3 percent by Enron. Whether or not these loans were based on misleading information, it is difficult to see how any of these deals fulfills the Export-Import Bank's avowed purpose of promoting American competition against the world.

While Democratic Sen. Ernest F. Hollings delivered his memorable judgment that Enron benefitted from the Bush presidency on a cash-and-carry basis, the symbiosis between big business and the purveyors of corporate welfare is bipartisan. Just as Enron gave to both parties, Bechtel has contributed \$820,000 to Republicans and \$730,000 to Democrats since the 1992 elections. Rebecca A. McDonald, CEO of Enron Global Assets, was on Ex-Im's Advisory Committee under President Clinton in 2000 and remained there under President Bush in 2001. How can it be that a major recipient of government largess is advising the agency handing it out?

Except for a fitful effort to trim it down in the early months of the Reagan administration in 1981 and some by the current Bush administration, the Export-Import Bank has sailed through governments of both parties—hardly noticed and never critically examined. A broader scrutiny of the agency's global pursuits is still wanting.

Mr. KUCINICH. Mr. Chairman, I yield back the balance of my time.

Mr. BEREUTER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 4 printed in House Report 107-423.

AMENDMENT NO. 4 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. SANDERS:

At the end of the bill, add the following:

**SEC. ____ INFORMATION AND CERTIFICATIONS
REQUIRED FROM COMPANIES SEEK-
ING OR RECEIVING NEW ASSIST-
ANCE.**

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is further amended by adding at the end the following:

“(g)(1) As a condition of providing assistance to a company in connection with a transaction entered into on or after the date of the enactment of this subsection, the Bank shall require the company to submit to the Bank the following information on an annual basis:

“(A) The number of individuals employed by the company in the United States and its territories.

“(B) The number of individuals employed by the company outside the United States and its territories.

“(C) A description of the wages and benefits being provided to the employees of the company in the United States and its territories.

“(2)(A) Beginning 1 year after the Bank provides assistance to a company in connection with a transaction entered into on or after the date of the enactment of this subsection, the company shall, on an annual basis, provide the Bank with a written certification of—

“(i) the percentage of the workforce of the company employed in the United States or its territories that has been laid off or induced to resign from the company during the preceding year; and

“(ii) the percentage of the total workforce of the company that has been laid off or induced to resign from the company during the preceding year.

“(B)(i) If, in the certification provided by the company, the percentage described in subparagraph (A)(i) is greater than the percentage described in subparagraph (A)(ii), then the company shall be ineligible for further assistance from the Bank until the company provides to the Bank a new written certification in which, for the year covered by the new certification, the percentage described in subparagraph (A)(i) is not greater than the percentage described in subparagraph (A)(ii).

“(ii) If the company does not provide a certification required by subparagraph (A), or provides a false certification under this paragraph, then 60 days thereafter the Bank shall withdraw all assistance from the company, and the company shall thereafter be ineligible for assistance from the Bank.”.

The CHAIRMAN pro tempore. Pursuant to House Resolution 402, the gentleman from Vermont (Mr. SANDERS) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I hereby submit for the RECORD a letter sent to the Speaker of the House, the gentleman from Illinois (Mr. HASTERT), by every large multinational corporate trade organization in the country, people who contribute hundreds of millions of dollars into the political process, because they are opposed to the amendment.

AEROSPACE INDUSTRIES ASSOCIATION, AMERICAN BUSINESS COUNCIL OF THE GULF COUNTRIES, AMT—THE ASSOCIATION FOR MANUFACTURING TECHNOLOGY, BANKERS ASSOCIATION FOR FINANCE AND TRADE, COALITION FOR EMPLOYMENT THROUGH EXPORTS, EMERGENCY COMMITTEE FOR AMERICAN TRADE, INTERNATIONAL ENERGY DEVELOPMENT COUNCIL, NATIONAL ASSOCIATION OF MANUFACTURERS, NATIONAL FOREIGN TRADE COUNCIL, SMALL BUSINESS EXPORTERS ASSOCIATION, U.S. CHAMBER OF COMMERCE, U.S.-CHINA BUSINESS COUNCIL, U.S. COUNCIL FOR INTERNATIONAL BUSINESS,

April 16, 2002.

Hon. DENNIS HASTERT,
Speaker of the House,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: As the House Republican leadership considers scheduling floor action on H.R. 2871, to reauthorize the Export-Import Bank, we write to reiterate our strong support for the Bank. Our collective members include many of the U.S. exporters and financial institutions that rely on the Bank as the lender of last resort in meeting the fierce competition for export opportunities in world markets. In FY 2001 alone, the Bank financed some 2,300 export transactions, 90 percent of which were for small and medium-sized firms.

Ex-Im Bank plays a crucial role in supporting the export of American-made goods and American-provided services in markets where commercial financing is difficult to obtain and when foreign competitors have the active support of their governments' export credit agencies. In 2000 alone, the most active export credit agencies worldwide financed more than \$500 billion in exports. Ex-Im Bank financed \$15.5 billion in U.S. exports that year.

To deal with this increasingly aggressive foreign competition, H.R. 2871 would authorize the Bank to respond to new export financing programs offered by foreign governments, including so-called “market windows”. The bill also provides the Bank with clear authority to use the tied-aid war chest to respond aggressively to foreign governments' use of foreign assistance to supplement their export credit activities (so-called “tied-aid”).

It is important to note that Ex-Im charges risk-based interest, premiums and other fees for its loans, loan guarantees and insurance. These fees are paid by exporters, banks and overseas customers. Last year, the Bank's revenues generated a \$1 billion net income for the U.S. government. Moreover, the Bank maintains some \$10 billion in reserves to protect against the risk of loss. The Bank's conservative lending policies and aggressively loss-recovery efforts have resulted in a very low 1.9 percent historical loss rate.

AMENDMENTS OF CONCERN

Two amendments may be offered which, in our judgment, would impede the ability of U.S. exporters to effectively utilize the Bank, thus weakening the Bank's programs and causing a loss of U.S. exports and the jobs of American workers. We urge you to oppose these amendments if offered during House floor action:

(1) Rep. Sanders may offer an amendment to deny Ex-Im Bank financing for U.S. companies that are growing internationally. It would make the Bank completely unusable for any U.S. exporter that is succeeding in world markets. The proposal runs contrary to U.S. trade policy and market-based economic growth. It would make no sense for the Congress to seek open world markets,

but then deny U.S. firms access to one of the key tools to take advantage of these new opportunities. Since Ex-Im Bank only finances U.S.-origin goods and services, shutting off the Bank would only result in making the Bank less effective in creating and keeping U.S. jobs here at home.

Rep. Schakowsky may offer an amendment to require a human rights assessment of about 600 export transactions supported by the Bank annually. This proposal is unnecessary because the Export-Import Bank Act already includes a procedure under which the Bank relies on the U.S. State Department for human rights analysis. The amendment would require the Bank to establish an unnecessary new bureaucracy that would duplicate the long-established State Department human rights office. The amendment would require U.S. exporters to submit any proposed transaction over \$10 million to a costly and time-consuming notice and comment period, which inevitably would lead to the loss of export sales to our foreign competitors. The current, long-established, process works well to ensure that human rights issues are analyzed by the State Department's experts and included in the Bank's consideration of export transactions.

We urge the House to approve H.R. 2871 and to oppose amendments that would weaken the Bank and impede U.S. exports.

Sincerely,

Don Carlson, President, AMT-The Association For Manufacturing Technology; Calman J. Cohen, President, Emergency Committee For American Trade; Timothy E. Deal, Senior Vice President, U.S. Council for International Business; John W. Douglass, President, and CEO, Aerospace Industries Association; John Hardy, Chairman, Standing Committee, International Energy Development Council; Robert Kapp, President, U.S.-China Business Council; James Morrison, President, Small Business Exporters Association; John Pratt, Chairman, American Business Council of the Gulf Countries; William Reinsch, President, National Foreign Trade Council; Edmund B. Rice, President, Coalition For Employment Through Exports; Consider W. Ross, Executive Director, Bankers Association for Finance and Trade; Franklin J. Vargo, Vice President, National Association of Manufacturers; Willard A. Workman, Senior Vice President, U.S. Chamber of Commerce.

Mr. Chairman, these gentlemen, representing the largest multinational corporations in this country, are opposed to this amendment. And why not? They are receiving huge amounts of corporate welfare. They think it is a good deal. So, yes, they will be opposed to the amendment. And I would hope that gives Members a good reason why they should think about voting for this amendment.

I am very proud that this amendment is cosponsored by the gentleman from Texas (Mr. PAUL) and the gentleman from Oregon (Mr. DEFazio), and we are united, along with many other Members here, to protect American workers and to fight corporate welfare.

Mr. Chairman, some of my colleagues will say that the Ex-Im Bank has helped businesses and workers throughout the United States. They are right. But that should not be a great surprise for an agency that has a budget of some \$1 billion and has the capability

of guaranteeing some \$15 billion in loans a year. If we stood outside on street corners all over America and gave out money, we would do some good. We would help people. We would create jobs.

The question that we want to ask is: Given the amount of money that we are spending, are American taxpayers and are American workers getting good value for their dollars? And I think any objective analysis of Ex-Im would suggest that we are not.

At the present moment, Ex-Im is wasteful, it is inefficient, and it is a major example of corporate welfare. If we cannot make fundamental changes in the way that program is run, it should be killed.

Mr. Chairman, let us be clear about who the major beneficiaries of Ex-Im are. My colleagues have heard a lot about how small businesses are benefiting. The reality, however, is that 80 percent of the real dollars goes to the Fortune 500, some of the largest corporations in America. Now, let us hear who those tiny small businesses are who receive this corporate welfare from the American people.

Well, they are Boeing, General Electric, Caterpillar, and Mobile Oil. They are a struggling small company. Westinghouse and AT&T. Another little tiny mom and pop company. Motorola, Lucent Technologies, Enron, IBM, FedEx, General Motors, Haliburton, Siemens, Raytheon, and United Technologies. The list goes on and on.

Workers in this country, working 50, 60 hours a week to keep their heads above water, veterans not getting the benefits they are entitled to, but, hey, all these little tiny companies they are on the welfare line. Name the largest multinational corporation in America, many of whom make substantial campaign contributions, and there they are getting their money from Ex-Im.

Further, many of these companies pay exorbitant salaries and benefits to their CEOs. One example, which I have experience with, IBM, on the welfare line, gave their former CEO Lou Gerstner, over \$260 million in stock options, while they cut back on pensions and retirement health benefits of their workers and retirees and they are opening plants in China. No doubt, no doubt that the American taxpayers should be giving them their welfare check.

Now, even more importantly, what else do these companies have in common? What they have in common is that company after company that receive Ex-Im money are some of the largest job cutters in America. In the name of job creation, we are giving huge amounts of money to large corporations who are laying off hundreds of thousands of American workers, and they are moving their plants to China, where they are paying desperate people there 20 cents an hour; moving to Mexico, moving to Vietnam, moving anywhere in the world where they can get cheap labor. Well, that is a smart public-policy move on our part.

Let me give a couple of examples. General Electric has received over \$2.5 billion in direct loans and loan guarantees from Ex-Im Bank. And what was the result? From 1985 to 1995, GE reduced its workforce from 243,000 to 150,000. A real success story for the Ex-Im Bank.

General Motors. They received \$500 million in direct loans and loan guarantees from Ex-Im. The result, GM has shrunk its U.S. workforce from 559,000 to 314,000. Congratulations Ex-Im.

Motorola. They have reduced their workforce; only 56 percent of their workers are from the United States.

Now, if a company wants to receive taxpayer support, fine. But what that company has got to do is say we pledge to protect American jobs. And the amendment that I am offering is very, very simple. What it says is that if a company is going to lay off workers, then they cannot lay off more American workers than they lay off people abroad. Now, I do not think that is too much to ask for companies that receive subsidies from the American taxpayer.

Mr. Chairman, I reserve the balance of my time.

Mr. BEREUTER. Mr. Chairman, I claim the time in opposition, and would be glad to allow the gentleman from Vermont to continue to yield.

The CHAIRMAN pro tempore. The gentleman from Nebraska (Mr. BEREUTER) is recognized for 15 minutes.

Mr. SANDERS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), who has been one of the strongest fighters in the U.S. Congress for American workers.

Ms. KAPTUR. Mr. Chairman, I rise in strong support of this Sanders amendment. It is eminently reasonable and aims to protect the jobs of American workers and strike a blow against the corporate welfare state.

This amendment is beautifully simple. It says no more Export-Import Bank help for corporations that lay off a greater percentage of workers in America than in other countries where they employ workers, including Mexico or China and other low-wage platforms. No more Export-Import Bank help for General Electric when it cans workers in Bloomington, Indiana, and exports all their jobs to Mexico.

Why cut workers' throats in our country with their own taxpayer dollars? Eighty percent of Ex-Im subsidies go to the biggest boys on the block, the Fortune 500 countries with global reach. And how do they return the favor to the American taxpayer? Well, General Motors gets more than \$.5 billion from Ex-Im and then shrinks its U.S. workforce from 559,000 to 314,000 workers. That is almost a quarter million lost jobs in America. Motorola took \$.5 billion from the taxpayers in the form of Export-Import Bank help and then slashed the American percentage of its workforce down to 56 percent.

Here is how I see it: if we cannot have the Ex-Im Bank for American

workers, then at least we should stop cutting our own throats with this giveaway to the runaway multinational companies that export jobs and leave American workers, American families, and American communities holding the bag.

Say "no" to this abuse of taxpayer dollars and this betrayal of American communities. Stand up for the Sanders amendment. Vote "yes" on the Sanders amendment, which actually says, "Do not hurt America first." If we have to take cuts, at least make those cuts equal globally to other countries. It does not say only serve America, it only says be fair to all concerned.

Support the Sanders amendment.

Mr. BEREUTER. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BEREUTER) having assumed the chair, Mr. SIMPSON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2871) to reauthorize the Export-Import Bank of the United States, and for other purposes, had come to no resolution thereon.

CONFERENCE REPORT ON H.R. 2646, FARM SECURITY AND RURAL INVESTMENT ACT OF 2002

Mr. COMBEST submitted the following conference report and statement on the bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011.

CONFERENCE REPORT (H. REPT. 107-424)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2646), to provide for the continuation of agricultural programs through fiscal year 2011, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Farm Security and Rural Investment Act of 2002".

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—COMMODITY PROGRAMS

Sec. 1001. Definitions.

Subtitle A—Direct Payments and Counter-Cyclical Payments

Sec. 1101. Establishment of base acres and payment acres for a farm.

Sec. 1102. Establishment of payment yield.

Sec. 1103. Availability of direct payments.

Sec. 1104. Availability of counter-cyclical payments.

Sec. 1105. Producer agreement required as condition of provision of direct payments and counter-cyclical payments.